



CRL OP(MD) No.23599 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23599 of 2023

K.SARANRAJ

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
MUSIRI ALL WOMEN POLICE STATION,
TRICHY DISTRICT.
CRIME NO.34/2023.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.MURUGESAN,Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

PRAYER:

FOR BAIL IN CRIME NO.34/2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on
03.11.2023 for the offences punishable under Sections 5(i), 5(n), 6 of Protection of
Child from Sexual Offences Act, 2012 and Section 506(2) IPC, in Crime No.34 of 2023



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on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02.11.2023, when the defacto complainant has gone out of the house for purchasing tea, the petitioner abused her daughter and tried to commit sexual assault on her and on seeing the defacto complainant, he ran away from the scene of occurrence. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner is none other than the nephew of the defacto complainant and the petitioner and the defacto complainant are living together as husband and wife and due to difference of opinion, the defacto complainant has made a false complaint. He would further submit that the petitioner is in judicial custody from 03.11.2023.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police submits that the petitioner had illegal relationship with the defacto complainant for the past three years and taking advantage of the same, the petitioner had tried to commit sexual assault on the daughter of the defacto complainant, who is aged about 17 years and thereby, the victim girl sustained injuries on private parts.

5.Heard the learned counsel on either side and perused the material records of



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6. Considering the above facts and circumstances of the case and also the fact that the petitioner has tried to commit sexual assault on the victim girl, who is aged about 17 years, taking advantage of the alleged illegal relationship with the defacto complainant, who is the mother of the victim girl, this Court is not inclined to grant bail to the petitioner.

7. In the result, this Criminal Original Petition is dismissed.

sd/-

03/01/2024

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/01/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

1 THE INSPECTOR OF POLICE,
MUSIRI ALL WOMEN POLICE STATION, TRICHY.

2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.23599 of 2023

Date :03/01/2024

PKP/DD/SAR- /11.01.2024/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified

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